

Section 4. Pond Amenity Rules

- 4.1 General Rules** Great Island Pond Amenity Area and Clam Pudding Pond are common open space and common facilities (the “Pond Amenities”) maintained by the Pinehills Landowners Association as recreational amenities for the enjoyment of Members of the Association and their guests, subject to the Pinehills Declaration and rules and regulations of the Association, including but not limited to this Section 4 Pond Amenity Rules. Great Island Pond is a designated great pond with private access to the pond for Members and their guests through the Great Island Pond Amenity Area, and general public access to the pond provided through lands owned by the Town of Plymouth located along the eastern and southern edge of Great Island Pond. Use of Great Island Pond is shared with other residents of Plymouth. The Great Island Pond Amenity Area is the private property of The Pinehills. Clam Pudding Pond is located entirely within The Pinehills with no public access to the pond. These rules and regulations are established to help protect these natural resources and encourage the safe and reasonable enjoyment of these amenities by Members and their guests. Access to the Pond Amenities is a privilege, not an entitlement. Members and their guests, who intentionally and willfully violate the Association rules and regulations, generally or specifically pertaining to the Pond Amenities, may be fined and/or be prohibited from use of the Pond Amenities. These rules and regulations are in addition to any laws, rules, and regulations of the Town of Plymouth and the Commonwealth of Massachusetts pertaining to the use of ponds and waters as they may be applicable to the use and enjoyment of the Pond Amenities by Members and their guests.
- 4.2 Liability.** Members and Guests are advised that swimming, canoeing, kayaking or otherwise recreating near, on and in Great Island Pond, including the Great Island Pond Amenity Area, and Clam Pudding Pond, AT ANY TIME, is done AT THEIR OWN RISK. Members and their guests should always follow commonly recommended water safety practices, such as those recommended by the American Red Cross.
- 4.3 Minors.** Children under sixteen (16) years of age must be accompanied at all times by an adult eighteen (18) years of age or older. The supervising adult will be responsible for the conduct and safety of the child (children) while at the ponds.
- 4.4 Hours of Operation.** Hours for use of the ponds are dawn to dusk.
- 4.5 Fishing.** Fishing permits are required in the state of Massachusetts. Fishing is permitted away from areas identified as a boat launching and swimming areas and away from people. Proper disposal of all fishing lines and hooks is the responsibility of the fishermen/women.
- 4.6 Boat Storage and Registration.** The Association has designated a limited area located at the Great Island Pond Amenity Area for the storage of boats (a “Boat” or “Boats” as defined herein) that are properly registered and are owned by Members of the Association. For purposes of these rules, “Boat” means a canoe, kayak or other small rowboat or sailboat (eg “Sunfish) that is no wider than 4 ½’ and no longer than 16’. Storage facilities at the Great Island Pond Amenity Area may accommodate up to 80 Boats. Only Members may be permitted to store Boats at the Great Island Pond Amenity Area upon proper registration and issuance of a permit from the Association and such storage is at the sole risk of the Member. Neither the Association, nor Pinehills LLC shall be liable to any Member for the theft of or damage to any Boat stored, used or left at the Pond Amenities All Members planning to store a Boat (non-motorized) must register with the PHLOA administrative office and obtain a seasonal sticker/permit. A fee will be charged for issuance of the permit. Motorized boats of any kind are not permitted at the Great Island Pond Amenity Area and are not permitted in

Clam Pudding Pond. Motorized boats may be used on Great Island Pond subject to the Town of Plymouth Town By-laws.

- 4.7 Boat Storage Permit.** Applications for a storage permit may be obtained at the Association's administrative office at The Stonebridge Club. The completed application, along with a nonrefundable \$25 permit fee must be submitted. Permits will be issued on a seasonal basis, beginning in April of each year. The permits expire on October 31 of each year and Members are required to remove their Boats from the storage area by no later than the close of business on November 1. No Boats are permitted to remain at the storage area during the off season. The Association will notify members when applications will begin to be accepted and will continue to process application throughout the season based on availability of storage spaces. Given the limited storage facilities available, the Association reserves the right to issue permits for all or part of the season, on a first come first served basis, a lottery basis or on a rotating basis, as the Association determines in its sole discretion. Boats left at the Great Island Pond Amenity area without the proper registration and sticker will be removed from the area and may be assessed a removal fee. Issuance of a storage permit is a privilege and not an entitlement. The Association reserves the right to revoke any permit issued if the Association has a reasonable belief that the permit holder has not complied with the requirements of this Section 4.
- 4.8 Parking.** Limited parking is available at the Great Island Pond amenity. That parking is limited to dropping off and picking up Boats and/or people. Those using the amenity who have a properly issued and displayed handicapped parking tag may park at the amenity during the duration of their use of the amenity. All other vehicles must be parked in parking spaces in the lot in front of the Overlook Club.
- 4.9 Buildings on Site.** Members and their guests are prohibited from entering into the buildings located at the Great Island Pond Amenity Area. The buildings are the property of Pinehills LLC. Pinehills LLC reserves the right to remove, repair or replace the buildings at any time.
- 4.8 Proper Conduct.** The Pond Amenities are located in and near residential neighborhoods within The Pinehills. Members and their guests who use the Pond Amenities must do so in a reasonable manner taking in to consideration the presence of these abutting or near residential properties. Running, pushing in the pond, loud noise, horseplay, or interference with the general use and enjoyment of the pond by others is prohibited.
- 4.9 Food and Beverage.** Glassware, glass bottles or glass containers of any kind are prohibited from the Pond Amenities. No hazardous materials are allowed at the Pond Amenities. Plastic containers, paper, or cans are acceptable. Proper disposal of trash is the responsibility of the Members. There are no trash receptacles at the Pond Amenities as the accumulation of refuse at these remote sites could encourage wildlife to these areas and interfere with the enjoyment of the areas by Members. Carry out what you carry in.
- 4.10 Smoking.** Smoking (cigarettes, cigars, pipes, controlled substances) is not permitted in, on or at the Pond Amenities.
- 4.11 Camp Fires or Open Fire Pits.** So-called camp fires or open fires of any kind are prohibited from all Common Open Space and Facilities within The Pinehills including at the Pond Amenities.
- 4.12 Alcohol.** Alcoholic beverages are not permitted at the Pond Amenities.

- 4.13** **Music.** Use of radios, CD players or other personal audio or video devices is allowed but only with the use of earplugs or similar personal listening devices or attachments.
- 4.14** **Pets.** In addition to and without limiting the Pinehills Use Rules and Restrictions pertaining to pets, Members' dogs are permitted at the Pond Amenities but must be held on a leash and kept away from other Members and their guests at all times, whether on shore or in the water. Owners are responsible for cleaning up after their pets and properly disposing of waste off premises.
- 4.15** **Water Pollution.** The release or disposal of any foreign substance into the Ponds, including without limitation refuse, soap, detergents, gas or oil is prohibited under the Association rules and may also be a violation of federal, state and local laws, rules and regulations.
- 4.16** **Guests.** A "guest" is any person, adult or child, who is not regularly living in the home of the Member. Children, grandchildren, etc are considered guests if they are not regularly living with Members at The Pinehills. Members must accompany their guests to the Pond Amenities and remain with their guests while they are using the amenities. Members who are sixteen (16) years of age or older are permitted to have guests who are also 16 years of age or older, accompany them to the Pond Amenities. Guests under the age of 16 are subject to the provisions of Section 4.3 above.

[End of Section]

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